

J. WYNNE HERRON, ESQ. (SB# 71192)
JOSEPH CLAPP, ESQ. (State Bar No. 099194)
HERRON & HERRON
18360 Sonoma Highway
Sonoma, CA 95476
Telephone: (707) 933-4430
Facsimile: (707) 933-4431
E-Mail: joeclapp@herron-herron.com

Attorneys for Plaintiffs
JAVIER MUNOZ, STEVEN TILLER, KEVIN LAY
and JAMES WINN

E. JEFFREY GRUBE (SB# 167324) jeffgrube@paulhastings.com
KATHERINE C HUIBONHOA (SB# 207648) katherinehuibonhoa@paulhastings.com
HEATHER N. MITCHELL (SB# 247509) heathermittchell@paulhastings.com
PAUL, HASTINGS, JANOFKY & WALKER LLP
55 Second Street
Twenty-Fourth Floor
San Francisco, CA 94105-3441
Telephone: (415) 856-7000
Facsimile: (415) 856-7100

Attorneys for Defendants
UPS GROUND FREIGHT, INC., OVERNITE TRANSPORTATION COMPANY and
MOTOR CARGO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAVIER MUNOZ, an individual; STEVEN
TILLER, an individual; KEVIN LAY, an
individual; JAMES WINN, an individual;
individually, on behalf of the general public,
and on behalf of all others similarly situated,

Plaintiffs,

vs.

UPS GROUND FREIGHT, INC., a business
entity form unknown; OVERNITE
TRANSPORTATION COMPANY, a
business entity, form unknown; MOTOR
CARGO, a business entity, form unknown,

Defendants.

CASE NO. C07-00970 MHP

~~PROPOSED~~ JUDGMENT OF
FINAL APPROVAL OF CLASS
ACTION SETTLEMENT

Court: 15, 18th Floor
Judge: Hon. Marilyn H. Patel

The Court hereby adjudges and decrees that it approves the settlement of this class action on the terms set forth in

(a) the "Joint Stipulation of Settlement and Release Between Plaintiffs and Defendants," *see* Docket No. 44, Exhibit 1, and

(b) this court's Memorandum and Order filed June 9, 2009, *see* Docket No. 60.

The members of the class included in this judgment are all current and former linehaul drivers who were employed by Defendants, who were domiciled in terminals within the State of California during the period February 15, 2003 to July 22, 2008, and who did not submit a timely Request to be Excluded to the Claims Administrator, Rust Consulting, Inc.

This entire action is hereby dismissed without prejudice as to all members of the class who did submit a timely Request to be Excluded to the Claims Administrator.

The entire action is hereby dismissed without prejudice as to all current and former linehaul drivers domiciled in terminals outside the State of California.

This entire action is hereby dismissed with prejudice as to all members of the class who did not submit a timely Request to be Excluded, except that the Court retains jurisdiction over the parties to enforce the terms of this judgment.

July 1
DATED: ~~June~~ , 2009

